APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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TM02/0822

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EXAMINER
VEILLARD, J

ART UNIT	PAPER NUMBER
2171	

DATE MAILED: 08/22/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

·Office Action Summary

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ___3___ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *Jul 2, 2001* _____

2a) ☒ This action is **FINAL.**   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-31* _____ is/are pending in the application.

    4a) Of the above, claim(s) *none* _____ is/are withdrawn from consideratio

5) ☒ Claim(s) *10-31* _____ is/are allowed.

6) ☒ Claim(s) *1-9* _____ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

    a) ☐ All b) ☐ Some* c) ☐ None of:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    *See the attached detailed Office action for a list of the certified copies not received.

14) ☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☐ Notice of References Cited (PTO-892)

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____

18) ☐ Interview Summary (PTO-413) Paper No(s). _____

19) ☐ Notice of Informal Patent Application (PTO-152)

20) ☐ Other:

DETAILED ACTION

1.   This is in response to the applicant's amendment filed on July 2, 2001.

Terminal Disclaimer

2.   The provisional double patenting rejection is overcoming by the terminal Disclaimer filed

by the applicant on July 2, 2001.

Priority

3.   Applicant's claim for domestic priority under 35 U.S.C. 119(e) from application S/N 60/

086,382 filed on May 22, 1998, is acknowledged.

Response to Arguments

4.   Applicant's arguments filed on July 2, 2001 with respect to claims 1 and 6 have been fully

considered but they are not persuasive for the reasons set forth below.

In response to the applicant's argument, on pages 4 and 5, that Mullins does not provide

any teaching or suggestion of *"transferring of data to and from a data store"*, the Examiner has

completed a through study of applicant's remarks and disagrees with his argument because

Mullins disclosed a system in which *the adapter abstraction layer, and more specifically the first*

adapter, communicates with a server process, more specifically the second adapter, in

communication with the underlying data store, which transfers the requested data store content

to and from the first adapter in communication with object application client (See Mullins's

col.4, lines 49 - 65).

Furthermore, at the second paragraph of page 6, applicant argued that Mullins does not

include certain features of Applicant's invention, the limitations on which the Applicant relies

(i.e. **read-write**) are not stated in the claims. It is the claims that define the claimed invention,

and it is claims, not specification that are anticipated or unpatentable. *Constant v. Advanced*

Micro-Devices Inc., 7 USPQ2d 1064.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United
> States before the invention thereof by the applicant for patent, or on an international application by another who
> has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention
> thereof by the applicant for patent.

6.   Claims 1- 5 are rejected under 35 U.S.C. 102(e) as being anticipated by Mullins (U. S.

Patent 5,857,197).

As per claim 1, Mullins disclosed a similar flexibly adaptable asset management system

for deploying asset management functions to a client application for manipulating assets (See

Mullins's Fig.1, col.1, lines 5 -11, representing data, in a data store, and for dynamically

customizing and extending interface functions (See Mullins's col.3, lines 65 - 67 to col.4, lines 1

- 3), as taught, the Mullins's system comprise: an asset manager server disposed between the

client application and the data store (See Mullins's Fig.1, col.7, lines 39 - 67), the asset manager

server including: at least one client adapter for providing the interface functions between the

client application and the asset manager server (See Mullins's Fig.1, col.1, lines 52 - 61); and at

least one schema adapter for mapping the assets to the data stored in the data store and for

transferring the data to and from the data store in response to methods invoked in the at least one

client adapter of the client application (See Mullins's col.3, lines 1 - 7 and col.4, lines 49 - 61),

wherein, the at least one client adapter is flexibly adaptable (See Mullins's col.9, lines 34 - 47),

thereby allowing the system to do one or more of handle different asset types and handle

additional client applications (See Mullins col.7, lines 11 - 22).

As per claim 2, the limitations of "wherein the at least one schema adapter is specific to a

particular one of the assets, an asset being meta data for a particular data type" as specified

thereof is present in the proposed combination indicated above (See Mullins's col.3, lines 30 -

34).

As per claim 3, the limitations of "wherein the asset manager server further includes: at

least one object oriented class, wherein an instance of the object oriented class encapsulates the

data and associated behaviors for transferring between the at least one schema adapter and the

client application through the at least one client adapter" as specified thereof is present in the

proposed combination indicated above (See Mullins's col.8, lines 18- 36).

As per claim 4, the limitations of "further comprising external services for providing a

link between the at least one schema adapter and the data store" as specified thereof is present in

the proposed combination indicated above (See Mullins's col.4, lines 49 - 58).

As per claim 5, the limitations of "wherein the at least one schema adapter registers with

the asset manager server by identifying ones of the at least one client adapter support by the at

least one schema adapter, wherein the at least schema adapter implements the interface functions

defined in the supported client adapter" as specified thereof is present in the proposed

combination indicated above (See Mullins's col.8, lines 30- 36).

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

8.   Claims 6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mullins

(U. S. Patent 5,857,197) in view of Ludwig et al.(U. S. Patent 6,006,230).

As per claim 6, Mullins disclosed a similar flexibly adaptable asset management system

and method for accessing data stores as objects, effecting a consistent interface to the data stores

regardless of its underlying structure (See Mullins's Abstract). Mullins does not explicitly

disclosed the system includes the limitations of "wherein each of the at least one client adapter is

identified by a unique identifier". However, Ludwig et al. disclosed a database client/server

development system providing support for remote sessions with user-created application and

executing objects across multiple tiers includes the limitations of "wherein each of the at least

one client adapter is identified by a unique identifier" (See Ludwig et al.'s col.7, lines 59 - 61).

It would have been obvious to one ordinary skill in the art at the time the invention was

made to use in Mullins system the method as taught by Ludwig because Ludwig method provide

a mechanism for manipulating assets data by using a unique identifier from a database server

tables, wherein the client(s) has the ability to insert or add new rows of data records into the table

and, also can modify and/or delete existing record in the table.

As per claim 7, the limitations of "~~the limitations of~~ "wherein the at least one schema

adapter supports an asset type, identified by a unique identifier, which is associated with the

particular one of the asset and corresponds to a file type" as specified thereof is present in the

proposed combination indicated above (See Ludwig et al.'s col.7, lines 54 - 61).

As per claim 8, the limitations of "wherein the at least one schema adapter supports

multiple asset types, each of the asset types being identified by a unique identifier"as specified

thereof is present in the proposed combination indicated above (See Ludwig et al.'s col.11, lines

51 - 59).

As per claim 9, the limitations of "further comprising implementing a parser for

extracting properties and associated values from files stored in the data store"as specified thereof

is present in the proposed combination indicated above (See Ludwig et al.'s col. 8, lines 1 - 12).

Allowable Subject Matter

9.   Claims 10 - 31 allowed.

10.   The following is a statement of reasons for the indication of allowable subject matter:

Applicant disclosed a program storage device readable by a computer, tangibly

embodying a program of instructions executable by the computer to perform method steps for

flexibly adapting an asset management system for deploying asset management functions to a

client application for manipulating assets, representing data, in a data store, and for dynamically

customizing and extending interface functions, the method comprising *"creating a new client*

adapter by: defining user interactions of the client application with the asset manager server to

be performed by the new client adapter; defining an application programming interface for the

new client adapter to encapsulate functionality to facilitate the user interactions; defining a load

time interface for the new client adapter; and defining a run time interface for the new client

adapter" as recited in independent claims 10, 17 and 24 and as described in Applicant's

specification (page 8, lines 15 -30 through page 11, lines 1 - 16) in combination with the other

limitations of claims dependent of independent claims 10, 17 and 24, were not disclosed by,

would not have been obvious over, nor would have been fairly suggested by the prior art of

record. Therefore, claims 11-16, 18-23 and 25-31 are also allowable as dependent of independent

claims 10, 17 and 24.

Conclusion

11.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CAR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CAR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

12.   **Any response to this action should be mailed to:**

Commissioner of Patent and Trademarks

Washington, D. C. 20231

Or faxed to:

(703) 305-9051 (for formal communication intended for entry)

Or:

(703) 308- 5357 (for informal of draft communications, please label "PROPOSED

or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2021 Crystal Drive, Arlington,
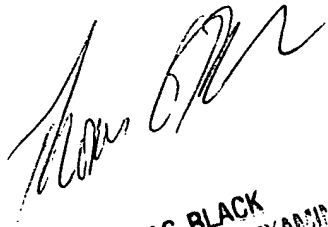
VA, Sixth Floor (Receptionist).

13.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jacques Veillard whose telephone number is (703) 305-7094. The

examiner can normally be reached Monday through Friday from 9:30 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Thomas Black, can be reached on (703) 305-9707. The fax phone number for this

group is (703) 308-5403.

Art Unit: 2171

THOMAS BLACK
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Jacques Veillard

August 14, 2001